THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 29th day of January,2007

W.P.No.21775 of 1995

Between:-

K. Prabhkar ...
Petitioner

and

The Executive Officer,
Tirumala Tirupathi Devasthanams,
Tirupathi, Chittoor District
and others ...
Respondents

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ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the Proceedings of the 3rd respondent dated 20-9-1995 as arbitrary, illegal and contrary to Article 311(2) of the Constitution of India and consequently to direct the respondents to reinstate the petitioner as Store Boy in the respondent-College Hostel.

Under the said Proceedings dated 20-9-1995, the petitioner was removed from the services of SGS Arts College Hostel, Tirupathi as per the directions of the Executive Officer, Tirumala Tirupathi Devasthanams, Tirupathi with effect from 20-9-1995. According to the petitioner, he was initially appointed as a Store Boy on NMR basis on a daily wage of Rs.10/- in a clear vacancy, which arose due to promotion of one J.Sudarshan as Assistant Steward in the respondent-College Hostel vide Proceedings dated 22-3-1991 issued by the Warden, SGS Arts College Hostel, Tirupathi, 3rd respondent herein. The said appointment was ratified by the SGS Arts College Hostel Committee in the meeting held on 3-1-1992. Subsequently, the petitioner was appointed as a Store Boy on regular basis and his salary was fixed at a consolidated pay of Rs.375/- per month as per the A.P. Shops and Establishments Act. Thereafter, by an Order dated 31-1-1992 issued by the 3rd respondent, his services were

regularized. While he was discharging his duties sincerely and without any blame, the impugned Order has been passed removing him from service. According to the petitioner, no reasons of any kind were furnished nor any notice before such termination was issued.

While admitting the Writ Petition on 26-9-1995, interim suspension of the impugned Order was made. Therefore, the petitioner is being continued in service as of now.

There is no necessity of going into all the details. Now, the learned counsel for the petitioner submits that during the pendency of the Writ Petition, the services of the petitioner were regularized as Store Boy and he is put on time scale and increments are being granted from time to time.

Recording the said submission, the Writ Petition is closed. No order as to costs.

29-1-2007

prk